

destroying Plaintiff's incoming and outgoing mails in retaliation for filing this action, on orders from defendant Sobina, Molligan, Bertolino and Rozum in violation of the 1st, 4th, 5th, 8th and 14th Amendments to the United States Constitution. SEE Plaintiff's Exhibits N21, N.19 and N20. N.19, N.22 and N.22.

Plaintiff prays that the court should grant Plaintiff's motion to Amend this complaint pursuant to Rules 15(a) and 19.2 Fed. R. Crim. Pro; adding all the above named defendants with the following defendants.

31) C/O White. Fined \$20,000.

32) Joseph Visinsky CHCA. Fined \$150,000.

33) Sgt. Bako. Fined \$20,000.

34) C/O Dayton Fined \$20,000.

Plaintiff prays that this court should issue a Writ of Habeas Corpus on Superintendent Sobina ordering defendant Sobina to release Plaintiff from the RHM Forewith and issue an order on defendants Sobina and Roman ordering them to give Plaintiff access to and use of the Law Library and copy and/or pay for Plaintiff's Attorney (Attorney) at \$500/hour.

Respectfully Submitted
Derrick Rankine; EU58;
SCI-SOMERSET
1600 Walters Mill Road
SOMERSET PA. 15510

January 1, 2004.

United States District Court
Western District Pennsylvania
Erie Pennsylvania 16507

DERRICK RANKINE

Vs.

Raymond Sobina et al.

C.A. 03-313 ERIE

Jury Trial Demanded

(6)

To The Chief Justice and Justices of Said Court:

Motion For LEAVE To File An Amended Complaint Adding The Following Defendants, Injuries And Requested RELIEFS. All DEFENDANTS ARE SUED in their OFFICIAL and Individual Capacities. Plaintiff is SEEKING Nominal, punitive, compensatory and declaratory judgments. Plaintiff SEEKING Criminal Charges To Be Brought Against defendants Sobina, Munion, Bertolino, Simasku and Rozur.

1) Plaintiff, DERRICK RANKINE, pursuant to Rule 15(c) and 19(a) Fed. R. Crim. Pro. requests LEAVE to File an Amended complaint adding the Following parties, injuries and requested RELIEFS.

2) Plaintiff in his original Complaint NAMED defendant Sobina et al.

3) Since Filing of the Original Complaint, Plaintiff Found out that defendant Joseph is Joseph Visinsky CHCA; Munion is Robert Munion; and Grievance Coordinator is Hiedi Sroka; and the Following Retaliatory Act

and continues to be perpetrated against the
and all of these Retaliatory Acts are instigated
raged, Allowed, (Knowingly), Aided and Abetted and
continues to be Aided and Abetted by Defendants Sobin
Bertolino, Simosko, and Rozum and Molligan?

H/ Plaintiff would also like to bring criminal charges
against defendant Molligan, if possible; pursuant to 18 U.
C.A. Sections 18 U.S.C. A. Sections 2, 88, 241, 242 and
371.

Respectfully Submitted
Derrick Rankine

EU 5850
SCT- Somerset
1600 Walters Mill Road
Somerset Pa. 15510

January 9, 2004.

United States District Court
Western District Pennsylvania
Erie Pennsylvania 16501

DERRICK A. RANKINE

VS

Jury Trial Demanded.

Raymond Sabina et al C.A. 3-313 Erie.

To The Chief Justice and Justices of Said Court.

Proposed Amended Complaint; Adding All the Following
defendants; injuries and requested relief. All individual
ARE SUED individually and officially and while acting under c
OF STATE LAWS.

- 1) Defendant: Register (Lt) relief requested permanent
separation, Fined \$50,000.
- 2) Defendant T. J. Wilson (Lt) relief requested permanent
separation: Fined \$50,000 added to original
- 3) Defendant: Boylan (Lt) relief requested permanent separation
Fined \$50,000.
- 4) Defendant Munion Fined \$75,000 add to original; criminal
charges to be brought, permanent separation (very, very, very
permanent separation)
- 5) Defendant Chapley; Fined \$15,000 add to original and a
permanent separation.
- 6) Defendant Prihs: Fined \$25,000 add to original and a
permanent separation.

- 7) Defendant Coughenour Fined \$40,000, very permanent separation; plus cost of books he stole on 10/11/03.
- 8) Defendant Evans Fined \$40,000; temporary separation; plus cost of books and magazines he stole on 10/11/03.
- 9) Defendant Bertolino (Lt). Fined \$225,000, criminal charge to be brought: permanent separation.
- 10) Defendant Haywood, Fined \$39,000.
- 11) Defendant Hainworth (Sgt) \$50,000; permanent separation.
- 12) Defendant Neisser Fined \$20,000; permanent separation.
- 13) Defendant McCool (Sgt) Fined \$50,000; permanent separation.
- 14) Defendant Fey: Fined \$75,000 Add to original and a very, very, very permanent separation.
- 15) Defendant Lucas: Fined \$20,000 Added to original.
- 16) Defendant Zabosky: one of best (CIO)s here Fined \$200,000.
- 17) Defendant Mulligan: Unit Manager: Fined \$75,000, criminal charges if possible: permanent separation (very, very, very).
- 18) Defendant Beard Secretary D.O.C.) Fined \$10,000.
- 19) Defendant Thomas James Fined \$10,000.
- 20) Defendant Robert Bitner: Fined \$75,000.
- 21) Defendant Slager (Sgt) Fined \$50,000; permanent separation; Kordish
- 22) Defendant Rosum Fined \$75,000 criminal charge to be brought. (Deputy Superintendent).
- 23) Defendant John McCullough (Deputy Secretary D.O.C.) Fined \$75,000.
- 24) Defendant Larry Armenti (CCPM) Fined \$50,000.

25) Defendant Sobina: Fined \$750,000; Criminal Charge will be brought: very permanent separation from this defendant.

26) Defendant Cross Fined \$18.50 add to original.

27) Defendant Gounther \$10,000 Fined? These are very dece

28) Defendant Roman Fined \$10,000? individuals and ss.

29) Defendant Bringer Fined \$10,000? don't believe they are (acting freely)

30) Defendant Joseph Visinsky Fined \$175,000.

31) Defendant White Fined \$50,000.

32) Defendant Bako Fined \$20,000 temporary separation

33) Defendant Dayton Fined \$20,000 temporary separation

Amended Complaint.

Since Filing of the original complaint the following retaliatory acts have been perpetrated, and continues to be perpetrated against Plaintiff by the above named and the following defendants. All of these retaliatory acts were ordered ^{and} encouraged by defendants Sabina Bertolino, Malligan and Rozum and members of the PRC.

(1) On 10/09/03 Plaintiff was released from the RHU to general population after been in the RHU 45 days without library books, because defendants Bertolino, Munion, Pri Roman and Chipley conspired to and did denied Plaintiff library books. This caused Plaintiff SEVERE mental duress embarrassment and humiliated Plaintiff since the other inmates, defendants Munion, Chipley and Prihs keep laugh

at Plaintiff. Plaintiff was and is the only inmate who is unable to receive library books and cases from the law library in violation of the 1st and 8th Amendments to the United States Constitution. See Exhibits F-10, F-11, F-12, F-13, Y-4, N-6, N-7 and N-8.

2) On 10/12/03 while Plaintiff was on the walkway from Church to D-pod, Plaintiff was forced to step off the walkway to avoid a collision with C/O White. Plaintiff waited until all staff members passed and said "good evening". C/O White turned back and came up into Plaintiff's face and said "Mr. KARKINE I am advising you not to say anything more to me, since I am not the enemy you are, and I will not say anything more to you, unless I have to." Plaintiff went to J-pod and immediately filed a grievance and sent a letter to the Office of Professional Responsibility. It stems from the fact that C/O White left Plaintiff's pod with two grievances that Plaintiff filed while Plaintiff was in the RAU, and called Plaintiff a "Faggot", a child molester and Plaintiff called C/O White a "black nigger turtle", a "black predator" and a "black terminator" in retaliation. See Plaintiff's exhibit N-1 and N-2.

3) On 10/12/03 Sgt. Gainsworth in corroboration with defendants White, Molligan, Sobiech and Register removed this grievance from the grievance box on D1A and destroyed this grievance, thus violating the 1st, 5th, 8th and 14th Amendments to the United States Constitution, and cause Plaintiff severe mental duress. In retaliation for report

5)

The above abuses Plaintiff was humiliated, embarrassed, degraded and terrorized by defendant REGISTER on 10/13/03, in the presence of all the inmates on DA. SEE Plaintiff's Exhibits.

4) On 10/14/03, defendants Coughenour and Evans planted two tore towels in Plaintiff's cell, stole 78 books, 30 magazines, 3 library books, 10 (40⁰) ENVELOPES, A tube of colgate toothpaste, A razor and A speed stick deodorant from Plaintiff's cell on orders from defendants Moligan, Rozum and Sobina, in retaliation for filing this Complaint in violation of the 1st, 4th, 5th, 8th, 13th and Amendments to the United States Constitution. SEE Plaintiff's Exhibits N.31, N.32, F.1 and 69569.

5) On 10/14/03 Plaintiff was searched six times by staff on the 2pm to 10pm shift on Plaintiff's way to the dining hall; on orders from defendants Sobina and Moligan and the members of the PRC. SEE Plaintiff's Exhibits Z.30, Z.32, Y.40, Y.41 and Y.42.

6) On 10/15/03, Plaintiff was searched four times to and from the dining hall and to and from the yard on orders from defendants Sobina and Moligan in retaliation for filing this action, in violation of the 1st Amendment to the United States Constitution.

7) On 10/16/03, Plaintiff's cell was searched and Plaintiff was searched four times to and from the dining hall and the yard on orders from defendants Moligan and

6)

Sabina and Rozum, in retaliation for filing this action. 8) On 10/17/03, Plaintiff was searched twice to and from pill line, three times to and from the dining hall, four times to and from the yard on orders from defendant Melligan, Rozum and Sabina, in retaliation for filing this action, in violation of the 1st, 4th, 5th, 8th and 14th Amendments to the United States Constitution.

9) On 10/18/03, Plaintiff was searched by defendants Brothers and Wadsworth to and from yard, and followed by defendants Brothers and Richards for the whole yard. Plaintiff's cell was searched and Plaintiff was searched by Sgt. Bakas, defendants Regester, Dayton and Neisser to and from the dining hall, at which times Plaintiff's penis and bottoms were fondled by defendants Bakas, Dayton and Neisser. Plaintiff was also told that "this harassment would continue until Plaintiff withdraw Plaintiff's lawsuit against SCI-Albion's and SCI-Somerset's staff or Plaintiff will be 'killed' by defendants Bakas, Dayton and Neisser. When Plaintiff attempted to report these threats to defendant Regester in the presence of these staff members, Plaintiff was dismissed with a "I will get back to you" by defendant Regester, on orders from defendant Sabina, Melligan and Rozum, in retaliation for filing this action.

10) During the period from 10/18/03 to 10/29/03 Plaintiff was searched by defendants Huber, Miller, Boyk

T.J. Wilson Register Putamy on orders from defendants Sobinn, Moligan and Rozan; these searches were embarrassing, humiliating, degrading, done with sexual overtures and caused Plaintiff to stop going to the yard, day room and speaking to other inmates, etc.

11) On 10/28/03, Plaintiff was forced to throw away a piece of grape fruit by defendants Bertolino, Miller and Folge, because Plaintiff was born in Jamaica. Plaintiff was then given grape fruits by other inmates that Bertolino, Miller and Folge allowed to leave the dining hall with these grapefruits, and again Plaintiff was forced to throw away these grapefruits by Folge on orders from defendants Moligan, Sobina and Rozan in retaliation for filing this action.

12) All the above searches humiliated, embarrassed, demeaned, degraded and terrorized Plaintiff to the point where Plaintiff started having nightmares, sleepless sleep, stopped going to the yard, pit line, dining hall and associating with other inmates. Plaintiff stopped attending mass, bible study and the library also. Fellow inmate stopped (and other staff) speaking and associating with Plaintiff out of fear for their lives.

13) In an effort to get the above harassment, terror, mental, physical and sexual harassments to stop, Plaintiff filed numerous grievances, appealed to the Chief Grievance Officer, the Office of Professional

Responsibility then to Secretary Beard See Plaintiff Exhibits Z₁, Z₁₃, Z₂₃.

14) On 10/16/03, Plaintiff was given a misconduct, claiming Plaintiff tore two state towels. On 10/22/03 Plaintiff was given an hearing by defendant Cross and found guilty and fined \$8.30 in violations of the 5th 8th and 14th Amendments to the United States Constitution, DC-ADM 801 Inmate Handbook page 52. Plaintiff appealed to the PRC, Sobini and then to Bitner. This guilty verdict was sustained by these defendants in violation of the 1st 4th 5th 8th 13th and 14th Amendments to the United States Constitution. See Plaintiff's Exhibits y1, y2 and y3.

15) On 10/29/03 Plaintiff was taken to the RHU without a misconduct without provocations or any justification by defendants Boylan and McCool as retaliation for filing the original complaint and for filing the above grievances on orders from defendants Sobina, Molligan and Rozan in violation of the 1st, 4th, 5th, 6th, 8th, 9th and 14th Amendments to the United States Constitution. See Plaintiff Exhibits Y-60, A-12, A-13, A-14, A-11, M-7 and M-9.

16) On 10/29/03 defendants Beyer and McCool threatened to "Killed" or have Plaintiff Killed, if Plaintiff do not withdraws Plaintiff's complaints, law-suits and grievances against SCI-Milbourn and SCI-Emerse Staff, on orders from defendants Sobinna; Molligan; Razum. SEE Plaintiff's Exhibits M-7, M-9, A-10, A-11, A-12

10/2/03, A-14, and A-15; in violation of the 1st, 4th, 5th, 8th, 13th and 14th Amendments to the United States Constitution.

17) Upon reaching the RDU Plaintiff was stripped, searched by defendant Bertolino, then Plaintiff was placed in cell B-13 without proper lights, thermal underwear, soap, toothpaste, deodorant, lotion or shampoo. Defendants Sabina, Bertolino, Molligan and Rozum, then sent defendants Fey, Munion, Chapley and Pitts to kick Plaintiff cell door daily and thus terrorized Plaintiff daily since 10/2/03. These defendants also sent defendants Coughenour, Stager, Lucas to threaten Plaintiff daily, since 10/29/03 to the present; they also threatened to poison Plaintiff food; destroyed Plaintiff's incoming and outgoing mails, placed bags with a "white sticky substance" in Plaintiff's meal, urinated in Plaintiff meals, denied Plaintiff meals without justification or effect. Plaintiff was also denied a shower from 10/29/03 to 01/12/04. Plaintiff's lights were not fixed until 12/17/03, on orders from defendants Sabina, Molligan, Bertolino and Rozum and in retaliation because Plaintiff filed the original action in this matter, in violation of the 1st, 4th, 5th, 6th, 8th, 13th and 14th Amendments to the United States Constitution. SEE Plaintiff's Exhibits F-9, F-7, F-6, F-2, F-2, F-5, F-3, A-15, A-16, A-13, F-4, F-4, F-42.

18) On 10/29/03, approximately 7 p.m. Plaintiff was taken to the property room by defendants Lucas and Coughenour and Melosh. Missing from Plaintiff's property are Irish

10

Spring soap, 1 Colgate toothpaste, 1 Speed stick deodorant & 40 envelopes; plus all the legal work that Plaintiff copied on 10/24/03 per Judge Baxter's order of 9/11/03. Defendants Lucas and Coughenour maliciously stole two bottles of Plaintiff's lotion and one large bottle of Plaintiff's shampoo; claiming they were "altered" because Plaintiff mixes them with water, other shampoo and lotions to dampen their smells. Plaintiff filed a grievance and appealed to defendants Sabina, James and Beard, who all agreed with this theft, in violation of the 1st, 4th, 5th, 8th, 13th and 14th Amendments to the United States Constitution.

(19) On 11/20/03, Plaintiff was threatened by defendant Mulligan and told by Mulligan that "they made a mistake giving Plaintiff a Z code and that is why Plaintiff is in the RHU," thus admitting that there are no justifications for Plaintiff being held in the RHU, and terrorized Plaintiff further in violation of the 1st, 4th, 5th, 8th and 14th Amendments to the United States Constitution.

(20) On 11/17/03 Plaintiff was given a cup of coffee with a bag of "white sticky substance" in it by defendant Kord. On 12/26/03 and 12/31/03 Plaintiff was told by defendant Stayer not to eat or drink meals that contain Plaintiff's name on it "because Plaintiff cannot never tell what Plaintiff will be eating and drinking." On 10/29/03, Plaintiff was told by defendant Chapley to be "nice" because Chile knows which truck is Plaintiff's. Plaintiff flushed

these meals in the toilet. Since 10/29/03 to the present time, Plaintiff received library books once and cases from the law library once, yet every week Plaintiff sent for three library books and 12 law cases. Defendants Roman, Grauntner and Bringer in corroboration with Sobina, Moligan, Rozum and Bertolino; conspired to deny Plaintiff and did deny Plaintiff access to the courts and is denying Plaintiff access to the courts by refusing to send Plaintiff these cases in violation of the 1st, 4th, 5th, 8th, and 14th Amendments to the United States Constitution. See Plaintiff's Exhibits N. 4, N. 5, N. 6, N. 7, N. 8, N. 9, N. 10, N. 11, N. 12, N. 13, N. 14, N. 15, N. 16 to N. 22.

(20) On 12/08/03, Plaintiff gave defendants 2 books a motion to be mailed by certified mail to Judge Barte for the appointment of counsel in this matter; two days later Plaintiff was given a different registered letter receipt after Plaintiff filed a grievance. See Plaintiff Exhibits N. 19 and N. 20.

(21b). On 11/02/03, Plaintiff gave all the summons for this action to be mailed to the United States Marshall; to Sgt. Rosentrater. On 12/20/03 Plaintiff gave a certified letter to CIO Chalk to be mailed to the United States Marshall asking for a copy of these summons and if the summons were served yet Plaintiff have received no response from the United States Marshall as yet. It is Plaintiff's contention the defendants Sobina, Rozum, Bertolino, Moligan and three

conspired to hold Plaintiff in the RHU and did hold Plaintiff in the RHU under the control of defendants Bertolino, Simosko, Stayer, Delosh, Lucas, Fey, Munion, Pritts, Chapley, Coughenour in an effort to have Plaintiff killed by these individuals from 10/29/03 to the present. These defendants should have known that Bertolino, Simosko, Delosh, Stayer, Munion, Chapley, Pritts, Coughenour, Fey, Lucas would have abuse Plaintiff if Plaintiff was placed under these defendants control. Plaintiff have been denied access to the yard, shower and law library since 10/29/03 by defendants Bertolino, Fey, Simosko, Stayer, Delosh, Lucas, Chapley and Pritts; on order from defendants Sabina, Moligan, Arment, Visinsky, Rozum, Beard, James, O'Hara, Bitner, Rozum and McCullough, a violation of the 1st, 4th, 5th, 6th, 8th, 13th and 14th amendments to the United States Constitution. SEE Plaintiff's Exhibits N.21, N.19, N.19, N.22, N.21, Y.4, F.4, F.4, F.4.2, N.31, N.32 and 69569.

(22) On December 3, 2003 Plaintiff received an order from the Pennsylvania Supreme Court ordering Plaintiff to send NINE copies of Plaintiff's brief to the court. Plaintiff immediately sent a grievance and a request to the business manager, Sub PRC and Ms Roman asking for access to a used of the copy machine, law library and for 60 carbon paper, 6 writing tablets and 6 manila envelopes. These requests were all denied. Plaintiff then filed a Motion for an extension of time in the Pennsylvania's Supreme Court and Appended to Secretary Beard, O'Hara and James, Plaintiff

(14)

ed et. SEE Plaintiff's Exhibits V-410, F-41, F-4 F-42. As the Court can see, these defendants have no respect for the courts or human life; and that Plaintiff's life is in grave danger; which violates all the laws of a civilized society. Therefore, Plaintiff prays that the court would grant Plaintiff's motion to ~~AMEND~~ AMEND the original complaint to add all the above and following defendants.

- 34 Defendant Miller, CIO Fined \$50,000, Temporary Separation
- 35 Defendant Munion CIO Fined \$100,000, permanent separation
- 36 Defendant Folge CIO Fined \$10,000.
- 37 Defendant Roman, Librarian Fined \$50,000.
- 38 Defendant Brothers Sol Fined \$50,000, permanent separation
- 39 Defendant Zabosky CIO Fined \$50,000 permanent separation

DECLARATORY RELIEF REQUESTED.

- 1) A Writ of HABEAS Corpus be issued against defendant Sobina, ordering defendant Sobina to release Plaintiff from the RHM forthwith.
- 2) That this court order defendant Sobina to give Plaintiff access to the LAW Library and copy machine forthwith; at defendant Sobina personal expense; or that criminal charges be brought against defendant Sobina.
- 3) That this court order defendant BEARD and Sobina to remove all of the above named defendants from around Plaintiff immediately.
- 4) That this court Appoint counsel to represent Plaintiff at an hourly rate of \$500/hour at the defendants personal

EXPENSE.

5, That this court order defendant Beard and Sobina to returned All of Plaintiffs personal property; especially Plaintiffs glasses and coffees immediately.

Respectfully Submitted

Demick Rankine

EU. 5850

SCI-SOMERSET

1600 Walters Mill Road

SOMERSET PA. 15510

January 12, 2004.

In The
United States District Court
Western District Pennsylvania.
Erie Pennsylvania 16507.

DERRICK A. RANKINE

Vs.

Raymond Sobina et.al

Jury Trial Requested
C.A. 03-313.

Proof of Service.

Plaintiff DERRICK RANKINE SWEARS that a copy of this complaint is being given to RHU staff to be mailed to
Mr. Gerald J. Pappert
OFFICE OF ATTORNEY GENERAL
5th Floor, Manor Complex
564 Forbes Avenue
Pittsburgh Pa. 15219

On January 12, 2004, by certified mail return address requested # 7002 2410, 0004, 7639, 8186; and that two copies of this document is be mailed to Western District Court by certified mail # 7002, 2410, 0004, 7610, 0918.

Respectfully Submitted
Derrick Rankine EU585
SCI-SOMERSET
1600 Walters Mill Road
SOMERSET PA 15510

January 12, 2004.

In The
United States District Court
Western District Pennsylvania
Erie Pennsylvania 16507
Derrick Rankine
Vs
Raymond Sobina et al. } Jury Trial Requested
CA. 03-313

Verification
Plaintiff DERRICK RANKINE, SWEARS under penalty of
perjury and subjected to 28 U.S.C. Section 1746, that
All of the Foregoing ARE true and correct.

Respectfully Submitted
Derrick Rankine
EU 5850
SCI-Somerset
1600 Walters Mill Road
Somerset Pa. 15510

January 12, 2004.